



ENVIRONMENTAL QUALITY CONTROL BOARD
33 S. W. 2nd AVENUE
PH 2
MIAMI, FLORIDA 33130-1540
(305) 372-6754

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CLERK

Luisa G. Bilbao

PUBLIC NOTICE

ENVIRONMENTAL QUALITY CONTROL BOARD

2nd REVISION AGENDA

Date: Thursday, June 10, 2004

Time: 1:30 P. M.

Place: Thomas Center
172 West Flagler Street
DERM Training Room
2nd Floor

THE ENTRANCE TO THIS BUILDING IS LOCATED ON THE EAST SIDE OF S.W. 2nd AVENUE, JUST SOUTH OF FLAGLER STREET

1. **RANDI RUSSEL** --(CONTINUANCE) Appeal pursuant to the provisions of Section 24-6 of the Code of Miami-Dade County, Florida, of a decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM); that decision being rescinding and revoking the DERM approval of a certain set of construction plans. The aforesaid rescission and revocation resulted in the annulment of Building Permit No. 2002096391, issued for the construction of a single family residence. The subject property is located at 2370 N.E. 194th Street, Miami-Dade County, Florida.
2. **IMA-SUNSET REVOCABLE BUSINESS TRUST, A DELAWARE BUSINESS TRUST** – (CONTINUANCE) Request for a variance from the requirements of Section 24-12.1(5) of the Code of Miami-Dade County, Florida. The request is to allow the establishment and operation of a dry cleaners operation on a property located within the basic wellfield protection area for the Alexander Orr wellfield. The proposed operation would use, generate, store, discharge, dispose of, or handle hazardous materials. The property is located at 9995–9999 S.W. 72nd Street, Miami-Dade County, Florida.
3. **FREDERICK ALLEN** – (CONTINUANCE) Appeal pursuant to the provisions of Section 24-6 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-

Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director, said determination being the issuance of a certain Notice of Violation and Orders to Cease and Desist, concerning the unauthorized installation of a floating vessel platform, on a property located at 805 North Shore Drive, Miami Beach, Florida.

4. **DMG PROPERTIES, LLLP** – (CONTINUANCE) Request for the modification of Board Order No. 04-10 that granted the Petitioner an extension of time to comply with the requirements of Sections 24-13(4) and 24-13(6) of the Code of Miami-Dade County, Florida, in order to allow the maintenance, continued use and expansion of an existing concrete casting facility. The Petitioner is now requesting that Condition No. 1 on the aforesaid Board Order be amended so as to extend the deadline therein for an additional one-year period. The aforesaid condition requires that on or before March 12, 2004, the Petitioner shall submit to the Miami-Dade County Department of Environmental Resources Management plans and applications for the required water and sanitary sewer main extensions that will serve the subject property. The property is located at the intersection of theoretical N.W. 140th Street and N.W. 107th Avenue, Miami-Dade County, Florida.
5. **CONDOTTE AMERICA, INC.** --(CONTINUANCE) Request for the modification of Board Order No. 04-05 that granted the Petitioner an extension of time to comply with the requirements of Sections 24-13(4) and 24-13(6) of the Code of Miami-Dade County, Florida, in order to allow the maintenance, continued use and expansion of an existing concrete casting facility. The Petitioner is now requesting that Condition No. 1 on the aforesaid Board Order be amended so as to extend the deadline therein for an additional one-year period. The aforesaid condition requires that on or before March 12, 2004, the Petitioner shall submit to the Miami-Dade County Department of Environmental Resources Management plans and applications for the required water and sanitary sewer main extensions that will serve the subject property. The property is located at 14600th N.W. 102nd Avenue, Miami-Dade County, Florida.
6. **CRICKET CLUB CONDOMINIUM INC.** -- (CONTINUANCE) Appeal pursuant to the provisions of Section 24-6 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director, said determination being, the denial of a temporary connection to the public sanitary sewer system in order to allow that the on-site sewage treatment plant be rehabilitated. The subject property is located at 1800 N.E. 114th Street, Miami-Dade County, Florida.
7. **JAVIER M. BAEZA AS TRUSTEE** -- (CONTINUANCE) Request for an extension of time for compliance with the requirements of Sections 24-13(4) and 24-13(6) of the Code of Miami-Dade County, Florida. The request is to allow the maintenance and continued use of an existing equipment sales and rental facility. The existing facility disposes of, discharges or stores liquid waste other than domestic sewage. The subject property is located at 3553 N. W. 78th Avenue, Miami-Dade County, Florida.
8. **PELTON NURSERIES, INC.** --(CONTINUANCE) Appeal pursuant to the provisions of Section 24-6 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director, said determination being the issuance of a certain Notice of Violation and Orders to Cease and Desist, concerning work without a permit in

jurisdictional wetlands, on a property located at South of S.W. 280th Street and 107th Avenue, Miami-Dade County, Florida.

9. **FLORIDA POWER & LIGHT COMPANY** --(CONTINUANCE) Appeal pursuant to the provisions of Section 24-6 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director, said determination being the issuance of a certain Notice of Violation and Orders to Cease and Desist, concerning work without a permit in jurisdictional wetlands, on a property located at approximately S.W. 312th Street and 107th Avenue, Miami-Dade County, Florida.
10. **VICTORIA R. FRANCO** -- (CONTINUANCE) Appeal pursuant to the provisions of Section 24-6 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director, said determination being the issuance of a certain Notice of Violation and Orders to Cease and Desist, concerning work without a permit in jurisdictional wetlands, on a property located at South of S.W. 284th Street and 107th Avenue, Miami-Dade County, Florida.
11. **LUIS GARCIA AND MYRIAM P. GARCIA** – Request for variances from the requirements of Sections 24-13(4) and 24-13 (6) of the Code of Miami-Dade County, Florida. The request is to allow the parking and storage of trucks on the subject property, which is served by an on-site drinking water supply well and a septic tank. The property is located at 21355 S. W. 167th Avenue, Miami-Dade County, Florida.
12. **NATIONAL LIFT TRUCK SERVICE, INC.** – Request for variances from the requirements of Section 24-12.1 of the Code of Miami-Dade County, Florida. The request is to allow the maintenance and continued use of a forklift truck sales and service facility. The existing facility generates, uses, stores, discharges, disposes of, or handles hazardous wastes; and is located within the average day pumpage and the maximum day pumpage wellfield protection area of the Miami Springs Lower, Miami Springs Upper, Hialeah and John E. Preston wellfield complex. The subject property is located at 7200 N. W. 77th Street, Miami-Dade County, Florida.
13. **KEN UBERTINO AND MARYELLEN UBERTINO** -- Request for a variance from the requirements of Section 24-58 of the Code of Miami-Dade County, Florida. The request is to allow the construction of a dock upon tidal waters of Miami-Dade County. The proposed dock would be located on a place where it would not comply with the requirements of the above noted Code Section. The property is located at 4420 North Bay Road, Miami Beach, Florida.
14. **AMERICAN CONSTRUCTION & FINANCING CORP.** – Request for a variance from the requirements of Section 24-13(3) of the Code of Miami-Dade County, Florida. The request is to allow the subdivision of a parcel of land into two lots, each for a single family residence, which would be served by public water and septic tanks. None of the proposed lots will comply with minimum lot size requirements contained therein for single family residences served by public water and septic tanks. The subject property is located at the intersection of N. W. 163rd Street and N. W. 37th Court, Miami-Dade County, Florida.

15. **BRUSA, INC.** -- Request for a variance from the requirements of Section 24-20 of the Code of Miami-Dade County, Florida. The request is to allow the continued operation of a gasoline dispensing facility without the installation of the required Stage II Vapor Recovery System. The property is located at 1475 W. 49th Street, Hialeah, Florida.
16. **HOME R US CUTLER DEVELOPERS, INC.** -- Request for a variance from the requirements of Section 24-13(3) of the Code of Miami-Dade County, Florida. The request is to allow that a proposed residential subdivision be served by public water and septic tanks. Public sanitary sewers abut the subject site. The property is located at the intersection of S. W. 198th Street and Old Cutler Road, Miami-Dade County, Florida.
17. **JUAN CARLOS RAMOS AND MARISOL TORRES** -- Request for an extension of time for compliance with the requirements of Sections 24-13(4) and 24-13(6) of the Code of Miami-Dade County, Florida. The request is to allow the construction and operation of a proposed children day care center that would be served by public water and an interim septic tank. The subject property is zoned commercial and is within feasible distance for connection to the public sanitary sewer system. The property is located on N. W. 169th Street, approximately 370 feet east of N. W. 67th Avenue, Miami-Dade County, Florida.
18. **PRIMO GROVES INC. AND EQUITY GARDENS, INC.** -- Request for variances from the requirements of Sections 24-13(4) and 24-13(6) of the Code of Miami-Dade County, Florida. The request is to allow hangars and a landing strip in connection with a 24-lot proposed residential subdivision that would be served by on-site drinking water supply wells and septic tanks. The proposed hangars and landing strip are nonresidential land uses that will be serving the proposed residences, and would dispose of, discharge or store liquid waste other than domestic sewage. The property is located at the intersection of S. W. 328th Street and S. W. 227th Avenue, Miami-Dade County, Florida.
19. **LINDA C. MINOR AS PERSONAL REPRESENTATIVE UNDER THE ESTATE OF WILLIAM O. BRICKELL AND MARJORIE O. BRICKELL, INDIVIDUALLY AND AS TRUSTEE UNDER DOCUMENT DATED SEPTEMBER 11, 1992, AS THE SOLE SURVIVING TRUSTEE OF THE MARJORIE O. BRICKELL FAMILY TRUST AND AS THE SOLE SURVIVING TRUSTEE OF THE WILLIAM O. BRICKELL FAMILY TRUST** -- Request for a variance from the requirements of Section 24-58 of the Code of Miami-Dade County, Florida. Said Code Section requires in pertinent part that any dredging or filling work proposed in Class I Permit applications shall comply with at least one of six specific criteria contained therein. The project being proposed for the subject property would consist of a multi-story mixed-use development that would require the filling of an existing artificial basin located in tidal waters of Miami-Dade County. The project is not consistent with any of said criteria. Consequently, DERM staff would not process the application for the required Class I Permit to fill the basin until the applicant obtains a variance from this Code Section. The property is located at 615 S. W. 2nd Avenue, Miami, Florida.
20. **PB PARTNERS DEVELOPMENT, LLC.** -- Request for a variance from the requirements of Section 24-13(3) of the Code of Miami-Dade County, Florida. The request is to allow the subdivision of a parcel of land into three lots, each for a single family residence, which would be served by public water and septic tanks. Public sanitary sewers abut the subject site in the form of

an 8-inch gravity main. The property is located at the intersection of S. W. 184th Street and 83rd Avenue, Palmetto Bay, Florida.

21. **QUAYSIDE HOMEOWNER'S ASSOCIATION, INC.** -- Request for a variance from the requirements of Section 24-58 of the Code of Miami-Dade County, Florida. The request is to allow the re-construction of a dock and marina upon tidal waters of Miami-Dade County. The proposed dock and marina would serve the residents of the adjacent residential condominium building; and would be located on a place where it would not comply with the requirements of the above noted Code Section. The property is located at Quayside Marina, 10670 Northeast Quay Plaza, Miami Shores, Florida.
22. **JORGE GONZALEZ, MILENA GONZALEZ AND DOMINIC L. FOTE** – Request for variances from the requirements of Sections 24-12.1(4), 24-12.1(5), 24-13(4) and 24-13(6) of the Code of Miami-Dade County, Florida. The request is to allow the use of the property for a weather testing facility with ancillary administrative offices. The property is located within the basic wellfield protection area of the Florida Keys Aqueduct Authority wellfield, and is served by an on-site drinking water supply well and a septic tank. The proposed land use may generate, store, use, discharge, dispose of, or handle hazardous materials, and may generate, dispose of, discharge or store liquid waste other than domestic sewage. The property is located at the intersection of S.W. 200th Avenue and S.W. 352nd Street, Miami-Dade County, Florida.
23. **TRIPLE FFF INVESTMENTS, INC.** -- Request for variances from the requirements of Sections 24-13(4) and 24-13(6) of the Code of Miami-Dade County, Florida. The request is to allow the rezoning of a property to the IU-1 zoning category, light industrial, and its subsequent use for the storage of containers and heavy machinery. The proposed land use will be served by an on-site drinking water supply well and a septic tank and may The proposed land use may generate, store, use, discharge, dispose of, or handle hazardous materials, and may generate, dispose of, discharge or store liquid waste other than domestic sewage. The property is located at the intersection of N.W. 112th Avenue and N. W. 140th Street, Miami-Dade County, Florida.

OTHER MATTERS:

Other items at the discretion of the Environmental Quality Control Board. For additional information, please call Luisa Bilbao at (305) 372-6754.